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Attorney for Defendants Hyden
& Henry

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF ALASKA

CHARLIE J. DAVIS, JR.,

Plaintiff,

vs.

ZELMER HYDEN, ET AL,

Defendants.

Case No. 3:02-cv-214-JKS

AFFIDAVIT OF MARILYN J. KAMM

STATE OF ALASKA

FIRST JUDICIAL DISTRICT

)
) ss.
)

I, Marilyn J. Kamm, being first duly sworn, depose and state as follows
on personal knowledge:

1. I am counsel for defendants in the above-referenced matter.

Affidavit of Marilyn J. Kamm

Davis v. Hyden, et al., Case No. 3:02-cv-214-JKS

Page 1 of 5.

2. The fair market value of my legal services is at least \$150.00 per hour. I have been licensed to practice law, and have practiced law in Alaska, for over twenty-five years.

3. The Assistant Attorney Generals who represent the Department of Corrections do not record the time they spend on any lawsuit. I estimate that I spent approximately 138.2 hours in defending this lawsuit after filing my Reply to Opposition to Motion to Dismiss. I also believe that this estimate is low, and that I probably spent much more time than my estimate. 138.2 Hours X \$150.00/hr = \$20,730.00.

<u>Date</u>	<u>Work Performed</u>	<u>Hours</u>
11/21/05	R&R Initial Report and Recommendation	.5
12/8/05	Draft Objections to Report and Recommendation	.5
12/12/05	Draft e-mail and receive response to Bodick re settlement offer; draft rejection of settlement offer	.5
1/18/06	Draft e-mail to counsel	.1
1/27/06	Receive e-mail from counsel	.1
	R&R order denying motion to dismiss	.3
1/30/06	Draft letter to counsel re stipulation, draft stipulation	.3
1/31/06	TC Luban, draft e-mail to counsel, receive response from counsel; draft letter to Henry re depo	.5
2/1/06	Draft letter to Hyden re depo	.3
2/3/06	Receive e-mail from counsel	.1
2/16/06	Draft fax to Bodick re settlement letter	.1
2/17/06	Draft fax to Dr. Luban re settlement letter,	.3
2/24/06	LMTC Hyden, Luban, Henry; draft e-mail to Luban; draft fax to counsel; draft letter to counsel re his client's proposals,	3
2/27/06	Receive e-mail from Luban; draft notice of deposition of Davis; draft e-mail to counsel re deadlines; draft letter to Henry re rescheduled depo, draft fax to Dr. Luban re rescheduled depo; receive fax from counsel re rescheduled depositions	2
3/20/06	Draft & receive e-mail to/from Hughes; draft e-mail to counsel re stipulation	.3

Affidavit of Marilyn J. Kamm

Davis v. Hyden, et al., Case No. 3:02-cv-214-JKS

Page 2 of 5.

1			
2	3/22/06	E-mail and response to/from Bodick; receive e-mail from Counsel, draft stipulation	.3
3	3/23/06	Receive order granting stipulation	.1
4	3/28/06	Draft fax to counsel, draft e-mail to Dr. Luban, draft and receive e-mails from counsel; draft letter to counsel, TC DOC pharmacist, research DOC P&Ps regarding prescription medication	5
5			
6	4/17/06	Draft stipulation for extension of time	.2
7	4/21/06	ATC Hyden, Henry	.2
8	4/24/06	ATC Henry & Hyden; Draft Offer of Judgment, draft letter to counsel, fax to counsel; e-mail PA Hale	1.5
9	4/25/06	ATC Henry, TC Henry, ATC Hyden, Draft fax to Henry re: meeting on 4/28; e-mail Dr. Luban & receive his response; receive e-mail from Hale, draft e-mail to Hale; draft e-mail to Ms. Hyden re mtg with husband	5
10			
11	4/26/06	Draft e-mail to McGinty; fly to Anchorage; Meet with Dr. Luban to prepare for depo, prepare for depositions	7.5
12	4/27/06	Attend depositions of Mr. Hyden & Dr. Luban	4
13	4/28/06	Meet with Mr. Henry re: deposition, attend Deposition; R&R order granting stipulation, R&R e-mail from McGinty	3
14	4/29/06	Draft Response and Supplemental Response to First Discovery Request, fax to counsel	.5
15	5/1/06	Draft & receive e-mail to/from counsel, draft fax to Luban re discovery requests and minutes, draft fax to Hale	1
16	5/2/06	Draft & receive e-mail to/from Luban re minutes	.4
17	5/3/06	Draft & receive e-mail to/from counsel re time of Davis depo, Prepare for deposition	7.5
18	5/4/06	Prepare for deposition, depose plaintiff	6
19	5/8/06	Draft fax and response to second set of discovery requests	1
20	5/10/06	R&R fax to/from Hale, draft & receive e-mail from counsel	.4
21	5/11/06	R&R letter from counsel to Hyden with mileage	.1
22	5/12/06	R&R letter from counsel to re-open discovery, notice of depo of Hale, Third Set of Requests for Production, draft fax to Hale with affidavit, finalize affidavit, legal research	7.5
23	5/15/06	Draft letter to counsel regarding request to re-open discovery, Legal research, draft motion for summary judgment	7.5
24	5/16/06	Draft stipulation for extension of time, draft mtn for s.j.	7.5
25	5/18/06	R&R order withdrawing referral, R&R notice re; motion for summary judgment, finalize mtn for s.j.	1
26	5/19/06	R&R Motion for discovery to reopen, notice to counsel re motion	.1
	6/5/06	R&R notice of filing of stipulation	.1

Affidavit of Marilyn J. Kamm

Davis v. Hyden, et al., Case No. 3:02-cv-214-JKS

Page 3 of 5.

1			
2	6/6/06	R&R order granting stipulation	.1
3	6/7/06	Draft opposition to motion for discovery	6
4	6/9/06	Draft and finalize opposition to motion for discovery, affidavit of counsel	3
5	6/19/06	R&R reply to opposition to motion for discovery	.3
6	7/6/06	R&R order granting motion for discovery, draft e-mail to Hale, draft fax to Luban with discovery requests	1.5
7	7/10/06	Draft e-mail to Betts, e-mail to counsel and R&R response re stipulation	.5
8	7/11/06	Draft stipulation for extension of time, TC Luban re: no minutes	.5
9	7/12/06	R&R order granting stipulation, R&R e-mail from Betts	.3
10	7/21/06	Draft e-mail to Betts, draft and receive e-mails Hale, LMTC Nagel, TC Sharon Wessels re: minutes, draft letters to Hyden and Henry re: minutes	2
11	7/24/06	R&R e-mail from Superintendent Betts, draft letter to counsel re documents 494 & 495, receive fax and documents from Sgt. Weatherup, receive fax & documents from Christine Lewis	3
12	7/27/06	Draft e-mail to Paul, R&R Notice of depo of Hale, draft letter and fax to counsel re documents 496-502	.6
13	7/28/06	Draft letter to counsel with grievance log	.3
14	8/1/06	Draft fax to Hale	.1
15	8/16/06	Draft and receive e-mails from counsel	.2
16	8/22/06	LMTC Hale	.1
17	8/23/06	Draft faxes to Hale re deposition preparation, prepare for deposition	7.5
18	8/25/06	Meet with PA Hale regarding deposition, attend deposition of Hale	5
19	8/30/06	R&R e-mail from Paul	.1
20	9/6/06	Draft e-mail to Nagel, Dansby	.5
21	9/7/06	R&R e-mail from Nagel, LMTC Ruth Nagel, LMTC Dansby, TC Dansby, LMTC Gimm	.5
22	10/2/06	Draft stipulation for extension of time	.1
23	10/4/06	R&R Order granting stipulation	.3
24	10/13/06	R&R Opposition to Motion for Summary Judgment	.3
25	10/26/06	Draft reply	7.5
26	10/27/06	Draft & R&R e-mail to Nagel, draft reply	7.5
	10/30/06	Draft and finalize reply to opposition and supplemental opposition to motion for summary judgment R&R letter from counsel to Hale with mileage	7.5
	11/16/06	R&R Order granting Motion for Summary Judgment, Judgment	.1
	11/21/06	Draft Bill of Costs, TC Ida Romack, draft Notice of Cost Bill Hearing, Affidavit of Counsel	2
	TOTAL HOURS:		138.2

Affidavit of Marilyn J. Kamm

Davis v. Hyden, et al., Case No. 3:02-cv-214-JKS

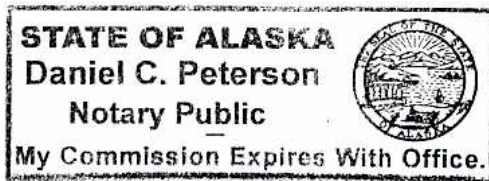
Page 4 of 5.

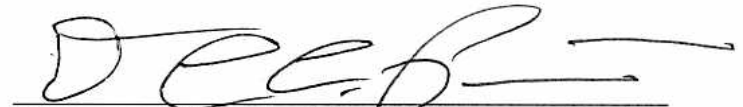
Further your affiant sayeth naught.



Marilyn J. Kamm

SUBSCRIBED AND SWORN TO before me this 27th day of
November, 2006, at Juneau, Alaska.




Notary Public in and for the State of Alaska